

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**SYLVESTER PASKEL**

**v.**

**MICHAEL NUTTER, LOUIS GIORLA, and  
JOHN DELANEY**

:  
:  
:  
:  
:  
:  
:  
:

**NO. 13-5755**

AND NOW, this 13th day of August, 2014, upon consideration of plaintiff's complaint (paper no. 7) and defendant's motion to dismiss (paper no. 8), and for the reasons set forth in the accompanying memorandum, it is **ORDERED** that:

1. The motion to dismiss (paper no. 8) is **GRANTED**.
2. Plaintiff is given leave to file and serve an amended complaint stating a plausible claim against viable defendants under 42 U.S.C. § 1983 within forty-five (45) days of this order.
3. If an amended complaint is filed, defendants shall file and serve their responses in accordance with the Federal Rules of Civil Procedure and the Local Rules of this court.

\_\_\_\_\_  
/s/ Norma L. Shapiro

J.